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10/052,284

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William Swinton

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EXAMINER

BATES, KEVIN T

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,284

Applicant(s)

SWINTON ET AL.

Examiner

Kevin Bates

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-42, 44-61 and 63-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-42, 44-61- and 63-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This Office Action is in response to a communication made on August 22, 2006.

Claims 1-20, 43 and 62 have been cancelled.

Claims 21, 51, 58, 61, and 67 have been amended.

Claims 21-42, 44-61- and 63-70 are pending in this application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 21-27, 29-39, 41-42, 44-53, 55-58, 60-62, and 63-70 is rejected under 35 U.S.C. 102(e) as being anticipated by Cortjens (5526037).

Regarding claim 21, Cortjens teaches a user interface system allowing a user interface of a first device to be supported at least in part by a second device (Column 5, lines 30 – 42), the system comprising: a module for generating at least one high-level event message indicating that an event has occurred that is relevant to the first device (Column 8, line 60 – Column 9, line 1); a router present at the first device for determining whether said at least one abstract message is handled locally at the first device or remotely at the second device (Column 8, lines 34 – 44); a mapper for mapping said at least one high-level message into at least one lower-level message for controlling one or more hardware elements controlled by the second device (Column 5,

lines 55 – 59); and a module for communicating said at least one lower-level message to the second device, such that the second device may activate one or more hardware elements that are appropriate for said event that has occurred (Column 9, lines 6 – 16).

Regarding claim 22, Cortjens teaches the system of claim 21, wherein said first device is temporarily connected to said second device (Column 3, line 54 – Column 4, line 1, where a remote device can temporarily connect to a local converted with the necessary software and control the system through the network connection, without the need for a permanent hardware and connection).

Regarding claim 23, Cortjens teaches the system of claim 21, wherein said first device is permanently connected to said second device (Figure 1, element 17 and 13).

Regarding claim 24, Cortjens teaches the system of claim 21, wherein said first device connects to said second device via wireless communication (Column 13, lines 43 – 45).

Regarding claim 25, Cortjens teaches the system of claim 21, wherein said first device connects to said second device via wireline communication (Column 9, lines 25 – 26).

Regarding claim 26, Cortjens teaches the system of claim 21, wherein said first device comprises a client device that is hosted by said second device (Column 5, lines 30 – 42).

Regarding claim 29, Cortjens teaches the system of claim 21, wherein said first device also includes hardware elements capable of being controlled by said at least one lower-level message (Column 5, lines 55 – 59).

Regarding claim 31, Cortjens teaches the system of claim 21, wherein said at least one high-level message is a logical user interface message indicating a logical user interface manifestation that should occur (Column 9, lines 6 – 16).

Regarding claim 32, Cortjens teaches the system of claim 21, wherein said at least one high-level message itself does not specify activation of particular hardware elements on the second device (Column 9, lines 6 – 16).

Regarding claim 33, Cortjens teaches the system of claim 21, wherein said at least one lower-level message does specify activation of one or more particular hardware elements on the second device (Column 9, lines 6 – 16).

Regarding claim 34, Cortjens teaches the system of claim 21, wherein said first device comprises a client device and wherein said second device comprises a host device to which the client device occasionally connects (Column 3, line 54 – Column 4, line 1, where a remote device can temporarily connect to a local converted with the necessary software and control the system through the network connection, without the need for a permanent hardware and connection).

Regarding claim 36, Cortjens teaches the system of claim 21, wherein said event comprises a user event (Column 6, lines 20 – 45).

Regarding claim 37, Cortjens teaches the system of claim 36, wherein said user event comprises user-supplied input (Column 6, lines 20 – 45).

Regarding claim 38, Cortjens teaches the system of claim 36, wherein said user event comprises use activation of an input element (Column 6, lines 20 – 45).

Regarding claim 39, Cortjens teaches the system of claim 38, wherein said input element comprises an input button (Column 6, lines 20 – 45).

Regarding claim 41, Cortjens teaches the system of claim 38, wherein said user input element resides on said second device (Column 6, lines 20 – 45).

Regarding claim 42, Cortjens teaches the system of claim 41, further comprising: a module for transmitting a notification to said first device in response to user activation of said user input element residing on said second device (Column 6, lines 20 – 45).

Regarding claim 45, Cortjens teaches the system of claim 21, wherein said at least one particular hardware element comprises an LED (light-emitting diode) (Column 12, lines 53 – 67).

Regarding claim 46, Cortjens teaches the system of claim 21, wherein said at least one particular hardware element comprises a bitmap display (Column 9, lines 6 – 16).

Regarding claim 49, Cortjens teaches the system of claim 21, wherein said first device may be embedded within said second device (Column 5, lines 49 – 51).

Regarding claim 60, Cortjens teaches the system of claim 58, wherein said user input element resides on the host device (Column 6, lines 20 – 45).

Regarding claim 61, Cortjens teaches the system of claim 60, further comprising: the router for transmitting a notification to the client device in response to the user activating the input element on the host device (Column 6, lines 20 – 45).

Regarding claim 51, Cortjens teaches an interface system allowing a client device to be partially supported by a host device (Column 5, lines 30 – 42), the system comprising: an onboard interface engine on the client device for generating at least one high-level event message indicating that an event has occurred on the client device (Column 8, line 60 – Column 9, line 1); a router in the client device to determine whether the at least one high level event message should be handled locally at the client device or remotely at the host (Column 8, lines 34 – 44); a state transition table to transition to the new state based on the event; and a module to update the client device's current state information (Column 9, lines 6 – 16); and a mapper for mapping said at least one high-level message into at least one lower-level message for controlling one or more hardware elements controlled by the second device (Column 5, lines 55 – 59).

Regarding claim 52, Cortjens teaches the system of claim 51, further comprising an event handler for communicating said at least one lower-level message to the second device, such that the second device may activate one or more hardware elements that are appropriate for the event that occurred (Column 9, lines 6 – 16).

Regarding claim 55, Cortjens teaches the system of claim 51, wherein the client device further comprises hardware elements capable of being controlled by the lower-level message (Column 9, lines 6 – 16).

Regarding claim 57, Cortjens teaches the system of claim 51, wherein the high-level message is a user interface message designed for display to a user (Column 18, lines 57 – 63).

Regarding claims 27 and 53, Cortjens teaches the system of claims 21 and 51, wherein said first device includes media capture capability (Column 18, lines 64 – 67).

Regarding claims 30 and 56, Cortjens teaches the system of claims 21 and 51, wherein said at least one high-level message is generated, at least in part, based on a then-current state of the first device (Column 8, line 60 – Column 9, line 1).

Regarding claims 44 and 63, Cortjens teaches the system of claims 21 and 51, wherein said at least one particular hardware element comprises an element capable of generating a display (Column 9, lines 6 – 16).

Regarding claims 47 and 64, Cortjens teaches the system of claims 46 and 63, wherein said bitmap display shows an icon in response to receipt at the second device of said at least one lower-level message (Column 9, lines 6 – 16).

Regarding claims 48 and 65, Cortjens teaches the system of claims 21 and 51, wherein said at least one particular hardware element comprises an element capable of generating sound (Column 20, lines 16 – 25).

Regarding claims 50 and 66, Cortjens teaches the system of claims 21 and 51, wherein said module for communicating said at least one lower-level message to the second device employs a configurable table so that the second device itself may be selected from different classes of devices (Column 2, lines 64 – 66).

Regarding claim 67, Cortjens teaches a method comprising: receiving a notification at a first device, indicating that an event has occurred with respect to the first device; determining whether the event should be handled locally at the device or remotely at a second device (Column 8, lines 34 – 44); transmitting a message to the

second device, intended to activate a hardware element on the second device;
activating a hardware element on the second device, in response to the message
(Column 9, lines 6 – 16).

Regarding claim 68, Cortjens teaches the system of claim 67, wherein said event comprises a user event (Column 6, lines 20 – 45).

Regarding claims 58 and 69, Cortjens teaches the system of claims 51 and 68, wherein the event comprises a user event selected from among the following: a user supplied input, a user activation of an input element; a status change (Column 6, lines 20 – 45).

Regarding claims 35 and 70, Cortjens teaches the system of claims 21 and 67, wherein said module for generating at least one high-level event message determines a new state that is appropriate for the first device to transition to; and generates at least one high-level message appropriate for indicating the transition to said new state (Column 9, lines 6 – 16).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 40 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cortjens (5526037) in view of Creamer (6930709).

Regarding claims 40 and 59, Cortjens teaches the system of claims 38 and 58.

Cortjens does not explicitly indicate that said input element resides on the client device.

Creamer teaches a system for viewing a digital camera over a network that includes receiving state change and input notifications on a second device over a network (Column 6, lines 36 – 58) and that the input interaction can be performed on the actual first device (Column 6, lines 43 – 46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to receive alerts and reports about event data which includes user interaction with the first client taught in Creamer, in Cortjen's system in order to allow for some image formation and user interaction, without requiring controls from the external source, while maintaining the correct reporting and alert information.

Claims 28 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cortjens in view of Maurinus (5606365).

Regarding claims 28 and 54, Cortjens teaches the system of claims 21 and 51.

Cortjens does not explicitly indicate that said second device includes cellular phone capability.

Maurinus teaches remote monitoring of peripheral devices which includes transmitting low level messages over a cellular network to the second device (Column 8, lines 39 – 51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Maurinus' teaching of sending the information from a digital

camera over a cellular network in order to provide a method of long distance wireless communication.

Response to Arguments

Applicant's arguments filed August 22, 2006 have been fully considered but they are not persuasive.

The applicant argues that the reference, Cortjens, does not disclose a router that determines if an event message should be handled locally or remotely. The examiner disagrees, as seen in Column 8, Cortjens teaches that the local device is programmed to product events that are determined to be handled remotely, rather than the usual local events (lines 33 – 37) which are then forwarded, or "routed" through the local devices' interface called the remote interface to the remote device (lines 39 – 44).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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October 21, 2006


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER